

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 966 - HB 1008

April 8, 2021

SUMMARY OF BILL: Revises the release eligibility for multiple offenses.

ESTIMATED FISCAL IMPACT:

Decrease State Expenditures – \$13,212,900 Incarceration*

Other Fiscal Impact – The first year of realized decreased incarceration costs are estimated to be \$94,700 in FY21-22 and a future decrease of \$268,400 in FY22-23.

Assumptions:

- The proposed legislation increases the amount of sentencing credits eligible to reduce sentences for the following offenses:
 - First degree murder;
 - Second degree murder;
 - Especially aggravated kidnapping;
 - Especially aggravated robbery;
 - Aggravated rape;
 - Rape;
 - Aggravated sexual battery;
 - Rape of a child;
 - Aggravated arson;
 - Aggravated child abuse;
 - Sexual exploitation of a minor involving more than 100 images;
 - Aggravated sexual exploitation of a minor involving more than 25 images;
 - Especially aggravated sexual exploitation of a minor;
 - Possession of a firearm with the intent to go armed during the commission of or attempt to commit a dangerous felony;
 - Employ a firearm during the:
 - Commission of a dangerous felony;
 - Attempt to commit a dangerous felony;
 - Flight or escape from the commission of a dangerous felony; or
 - Flight or escape from the attempt to commit a dangerous felony;
 - Aggravated robbery with qualifying prior convictions;
 - Aggravated robbery;
 - Aggravated child neglect;

- Controlled substances with qualifying priors;
 - Especially aggravated burglary with qualifying priors; and
 - Sixth or subsequent driving under the influence.
- This analysis estimates the highest cost for admissions in the next 10 years; therefore, any impact resulting from the proposed legislation effecting sentences exceeding 10 years in length surpasses the window of this analysis.
- Utilizing information provided by the Department of Correction (DOC), the fiscal impact related to incarceration has been determined using numerous and complex calculations. These calculations have been omitted from this fiscal note for the purpose of brevity. However, the calculations used for determining the following fiscal impact are on file with Fiscal Review Committee staff and can be provided upon request.
- Pursuant to Tenn. Code Ann. § 9-4-210, the annualized increase in state incarceration expenditures is estimated to be \$13,212,892.
- The first year of realized savings will be \$94,709 in FY21-22 and a future decrease of \$268,432 in FY22-23.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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